



CrI.O.P.No.29904 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: **05.12.2022**

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

CrI.O.P.No.29904 of 2022

V.Priyanka

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Dharmapuri,
Dharmapuri District.

2.The Inspector of Police
All Women Police Station,
Pennagaram,
Dharmapuri District.

... Respondents

PRAYER: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the second respondent/Police to register the FIR on the basis of complaint dated 28.09.2022 given by the petitioner to the second respondent herein.

For Petitioner : Mr.V.Balamurugan

For Respondents : Mr.S.Santhosh
Government Advocate (Criminal side)



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ORDER

This Criminal Original Petition has been filed to direct the second respondent/Police to register the FIR on the basis of complaint dated 28.09.2022 given by the petitioner to the second respondent herein.

2.The learned Government Advocate (Criminal side) submitted that on the basis of the complaint given by the petitioner enquiry is pending and he prays time for completion of enquiry and for filing report.

3.Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal side) for the respondents.

4.The Division Bench of this Court in ***G.Prabhakaran v. The Superintendent of Police, Thanjavur***, reported in ***(2018) 2 LW CrI 489*** and the Hon'ble Supreme Court in its latest judgment rendered by a three Judge Bench in ***M.Subramaniam v. S.Janaki***, reported in ***(2020) 5 CTC 464***, after relying upon ***Sakiri Vasu's*** Case, has categorically held that the High Court cannot issue any direction for registration of FIR. High Court can intervene only in extraordinary



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circumstances and rare cases.

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5. In view of the fact that enquiry is pending, it is directed that if any cognizable offence is made out, the respondent police is bound to register the FIR otherwise they may close the complaint. Such exercise shall be completed within a period of two weeks from today.

6. With the above directions, this Criminal Original Petition is disposed of.

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Index: Yes/No

Speaking/Non speaking order

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G.CHANDRASEKHARAN.J.,

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To

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Dharmapuri,
Dharmapuri District.
- 2.The Inspector of Police
All Women Police Station,
Pennagaram,
Dharmapuri District.
3. The Public Prosecutor,
High Court of Madras.

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